Regulating the Sacred? A Critical Examination of Faith-Based Organization Registration in Rwanda: Between Religious Freedom and State Control

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Abstract: This article critically examines the Rwandan government's regulation of faith-based organizations (FBOs), interrogating the balance between ensuring public accountability and upholding religious freedom. It analyzes Rwanda's legal and administrative criteria for registering churches and other FBOs, including strict requirements for infrastructure and clergy qualifications. The study employs doctrinal legal analysis and comparative public policy review, drawing on legal texts, academic commentary, and international case studies. Findings reveal that Rwanda's **Law N°72/2018** and subsequent regulations impose **stringent structural standards** (e.g. building safety codes, financial disclosures) and **academic qualifications** (theology degrees or equivalent) on religious organizations. While intended to curb fraud and protect the public, these measures raise theological and ethical concerns by prioritizing formal compliance over spiritual authenticity and doctrinal integrity. Comparatively, **Uganda**, **Nigeria**, and **South Africa** have grappled with regulating proliferating religious groups, but Rwanda's approach stands out for its enforcement intensity and scope. The compatibility of Rwanda's framework with its constitutional guarantee of religious freedom is debated, highlighting a tension between **state control** and **religious autonomy**. We conclude with policy and theological recommendations aimed at respecting faith community autonomy while ensuring public safety and accountability.

Keywords[2]: Rwanda, faith-based organizations, church registration, religious freedom, state regulation, theological education, public accountability.

I. Introduction

Around the world, governments face challenges in overseeing **faith-based organizations (FBOs)** amid concerns about public safety, financial impropriety, and the spread of harmful practices. Yet efforts to regulate religious institutions often spark fierce debate over the boundaries of **religious freedom** and state intervention. In Africa, this tension has been especially evident as countries respond to the **explosive growth of Pentecostal and independent churches** and occasional abuses by self-appointed pastors. *Rwanda* has become a focal point in this debate after enacting far-reaching regulations on churches and other FBOs, prompting questions about whether the state is safeguarding citizens or encroaching on sacred realms (Obadare, 2024). Despite a constitutional commitment to freedom of religion, Rwanda's authorities argue that regulation is necessary to prevent fraud, protect public order, and address historical factors such as the role of certain churches in the 1994 genocide (Sikubwabo, 2024). Critics warn that such comprehensive oversight risks reviving a Constantinian model of church-state fusion—recalling Imperial Rome or medieval Christendom—where religious legitimacy ultimately flows from civic authority rather than divine vocation.

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Literature Gap: While prior studies and reports have documented Rwanda's church closures and legal reforms (Nzwili, 2024; Obadare, 2024), there is a gap in scholarly analysis bridging **legal, theological, and ethical perspectives** on this issue. Few works critically evaluate how Rwanda's regulatory criteria align with **theological conceptions of ministry authenticity** or compare this approach with other countries facing similar dilemmas. This interdisciplinary article seeks to fill that gap.

Objectives: The objectives are fourfold: (1) to **detail the legal and administrative criteria** Rwanda uses to register and regulate FBOs; (2) to **assess theological and ethical implications** of emphasizing infrastructure standards and academic credentials over spiritual considerations; (3) to **compare Rwanda's approach** with those of selected African countries (notably Uganda, Nigeria, and South Africa) to contextualize its uniqueness and implications; and (4) to **evaluate the compatibility** of Rwanda's regulatory framework with its constitutional principle of religious freedom.

Research Questions: (1) What are the legal and administrative requirements for the registration and operation of churches and FBOs in Rwanda, and how are they enforced? (2) What are the theological and ethical implications of Rwanda's emphasis on structural standards and formal qualifications (e.g. theological degrees) for religious leaders, in contrast to spiritual authenticity and doctrinal integrity? (3) How does Rwanda's regulatory approach compare to those in Uganda, Nigeria, and South Africa, and what does this reveal about its uniqueness and broader impacts? (4) Is Rwanda's regulatory framework compatible with the country's constitutional guarantees of **freedom of religion**, or does it amount to an undue infringement – where is the line drawn between legitimate public accountability and overreach?

By addressing these questions, the article provides an interdisciplinary analysis of **"regulating the sacred"** – examining how law, theology, and ethics intersect in the governance of religious life. The discussion concludes with actionable recommendations for policymakers, church leaders, and civil society to harmonize **religious autonomy** with **public accountability**.

II. Methodology

This research employs a qualitative, interdisciplinary methodology grounded in **doctrinal legal analysis**, **content review**, and **comparative public policy**. First, a doctrinal analysis of Rwandan law was conducted, focusing on **Law N°72/2018 of 31/08/2018** (which governs FBOs in Rwanda) and related regulations. Official legal texts and government directives were reviewed to extract the criteria for church registration, operational requirements, and restrictions placed on religious organizations. This legal analysis is complemented by a **content review of secondary sources**, including academic articles, government reports, and international human rights documentation, to understand the implementation and rationale of these laws.

Additionally, a **comparative case study** approach was used to examine how three other countries – Uganda, Nigeria, and South Africa – regulate (or attempt to regulate) religious organizations. Policy documents, news reports, and scholarly commentary from these contexts were analyzed to identify similarities and differences with Rwanda's framework. This comparative lens helps to contextualize Rwanda's approach within broader regional trends and norms.

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Throughout, the study integrates **theological and ethical critique** by incorporating perspectives from religious leaders, theologians, and ethicists found in literature and media. By triangulating legal analysis with theological-ethical discourse and cross-country comparison, the methodology ensures a **holistic examination** of the research questions. This approach enables a critical yet balanced assessment, rooted in evidence from credible sources (e.g. peer-reviewed journals, official statements, rights organizations), thereby upholding academic rigor and objectivity.

III. Findings and Discussion

3.1. Rwanda's Legal and Administrative Criteria for FBO Registration

Rwanda's government, through the **Rwanda Governance Board (RGB)**, has established rigorous criteria for any faith-based organization to obtain legal status and operate. In 2018, Rwanda replaced an older law with a new legislation aimed at tightening control over religious groups (Obadare, 2024). Under **Law N°72/2018**, all churches, ministries, and faith-based NGOs must **register** and secure legal personality from the RGB before beginning operations (Nzwili, 2024). The application process demands extensive documentation and compliance with multiple standards:

- **Notarized doctrinal statement:** Applicants must submit a notarized statement explaining the organization's beliefs and doctrinal teachings. This effectively requires churches to put their theology on record with the state – an unusual level of transparency that some observers find intrusive (Obadare, 2024).
- **Detailed action plans and finances:** A notarized document outlining the **annual plan of action** and sources of funding is required. Churches must disclose how they will operate and sustain themselves financially, and they must report annually to the RGB (Babaro, 2025). Financial transparency is further enforced by the requirement to **disclose sources of funding** and a provision empowering the RGB to audit religious organizations' finances when necessary (Sikubwabo, 2024).
- **Local government endorsement:** The law mandates a **letter from the district authorities** confirming they will collaborate with the organization (Obadare, 2024). In practice, this means local officials must vet and approve a new church's presence in the community, adding a layer of administrative control.

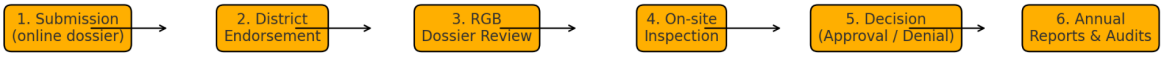
1. Submission (online dossier)
2. District Endorsement
3. RGB Dossier Review
4. On-site Inspection
5. Decision (Approval / Denial)
6. Annual Reports & Audits

Figure 1. Required Steps for Church Registration under Rwanda's RGB

- **Infrastructure and location requirements:** Applicants must provide proof that they have a dedicated place of worship that meets construction and safety standards (Tabaro, 2025). According to the regulations, the building must be approved by district engineers as complying with all **legal building codes**, have proper facilities (e.g. ventilation, gender-separated toilets), and be used exclusively for worship activities (Tabaro, 2025). Conducting services in tents, private homes, or informal structures is prohibited unless special permission is obtained(Sikubwabo, 2024). These rules emerged after authorities cited **health, safety, and noise**

concerns at thousands of informal prayer houses, some of which operated in makeshift venues like garages, caves, or riverbanks(Nzwili, 2024).

- **High service fees:** A substantial application fee is imposed. New organizations must pay a **non-refundable "service fee" of 2,000,000 Rwandan Francs** (approximately USD $1,600) to the national treasury for the legal personality application(Tabaro, 2025). This fee can be prohibitively expensive for poorer congregations and serves as a financial barrier to entry.
- **Leadership qualifications:** Perhaps the most controversial requirement is that religious leaders must have specific **academic credentials**. Article 22 of the law stipulates that any preacher with supervisory responsibilities (such as a senior pastor) must hold **a degree in religious studies from an accredited institution, or a degree in another field plus a recognized certificate in theology**(Sikubwabo, 2024). The legal representative of the church (often the head pastor) and their deputy are likewise expected to hold a university degree (Obadare, 2024). When the law was enacted in 2018, clergy were given a five-year grace period to obtain the required qualifications (Sikubwabo, 2024) – a deadline that expired in September 2023. In addition, leaders must be at least 18 years old, **"persons of integrity,"** officially authorized by their organization to preach, and free of criminal convictions for serious offenses or genocide-related crimes. Leaders also must not be serving as representatives of any other faith organization simultaneously (Obadare, 2024).
- **No political involvement:** Both the Constitution and the FBO law bar religious organizations and leaders from engaging in political activities. Churches cannot form political parties, campaign for candidates, or use religion to incite sectarianism(Sikubwabo, 2024). This reflects Rwanda's determination to prevent a recurrence of the ethnic and political manipulation that some churches were accused of during the 1994 genocide (Nzwili, 2024).

Failure to meet these conditions can result in denial of registration or the suspension of an organization's activities. In fact, enforcement has been uncompromising. Since 2018, authorities have conducted nationwide inspections to ensure compliance. **Thousands of churches and mosques have been shut down** for operating without meeting the standards. An initial wave of closures in early 2018 affected over 700 places of worship in Kigali alone (Obadare, 2024). By the end of that year, nearly **9,000 congregations were shuttered** across Rwanda for noncompliance, and more than 6,000 of those remained closed by the end of 2023 (Obadare, 2024). In a renewed crackdown in mid-2024, the government inspected 14,000 "prayer houses" in one month, closing about **8,000 (roughly 70%)** of them for various violations (Tasamba, 2024). Officials cited deficiencies such as structural unsafety, lack of sanitation, noise pollution, and absence of proper permits. Notably, **small Pentecostal churches** were disproportionately affected, including some gatherings that met in improvised locations like private homes, sheds, or even caves (Nzwili, 2024; Obadare, 2024).

Rwandan authorities defend these stringent criteria as necessary for public welfare. The **Rwanda Governance Board** frames its rules as a response to an "unregulated proliferation" of churches and the associated problems of fraud and disorder (Nzwili, 2024). The Minister of Local Government argued that the government is protecting citizens from exploitation by *"conmen"* posing as pastors, and ensuring that places of worship are physically safe and hygienic (Tasamba, 2024). From the state's perspective, **religion must operate within the law** just like any other sector, particularly given Rwanda's history where unchecked religious institutions at times contributed to social cleavages and even violence(Sikubwabo, 2024, Nzwili, 2024).

However, critics say that Rwanda's requirements go far beyond basic regulation and amount to **micromanagement of religious life**. A Council on Foreign Relations analysis noted that the conditions for legal status range from *"intrusive"* to *"outright ridiculous,"* highlighting the demand for notarized doctrinal statements and district endorsement as examples of onerous rules (Obadare, 2024). The mandatory theology degree for preachers has been especially contentious; while education is valuable, enforcing it by law is virtually unprecedented globally. As one observer quipped, Rwanda's approach leaves *"little joy"* for aspiring church leaders who feel a genuine calling but lack formal academic credentials (Obadare, 2024). These tensions between the government's intent and the perceived overreach segue into the deeper **theological and ethical implications** of the policy.

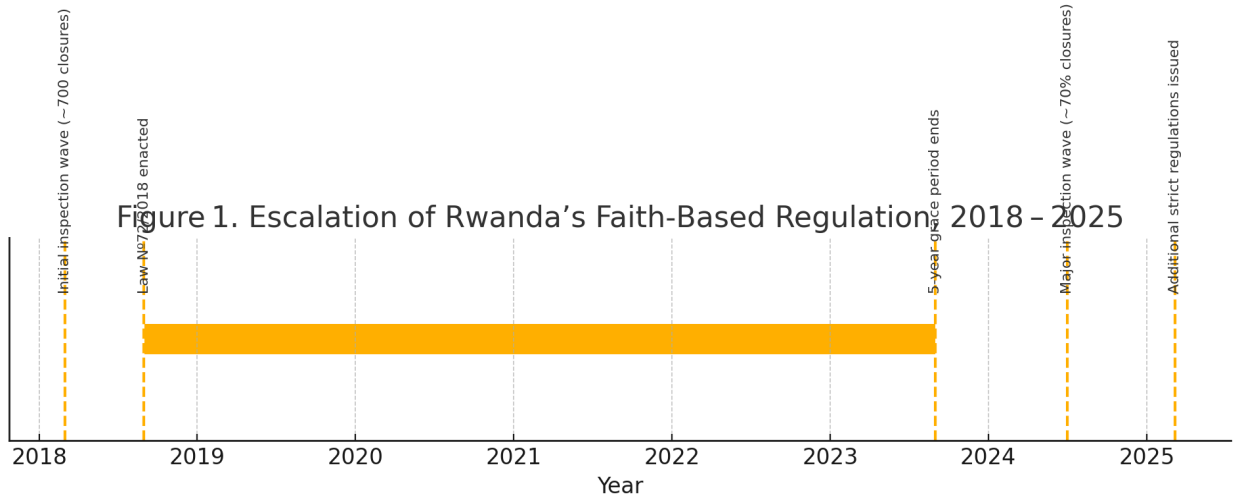

Figure 1. Escalation of Rwanda's Faith-Based Regulation, 2018 – 2025

Figure 2. Escalation of Rwanda's Faith-Based Regulation, 2018–2025

3.2. Theological and Ethical Implications: Structure vs. Spirit

From a theological and ethical standpoint, Rwanda's emphasis on formal structures and qualifications raises fundamental questions: Does requiring a degree make someone a better pastor? Can spiritual authenticity or divine calling be measured by academic pedigree or building code compliance? Many **Christian theologians** and church leaders argue that while order and knowledge are important, the essence of religious ministry lies in intangible qualities – **faith, integrity, calling, and doctrine** – which cannot be legislated by the state.

Supporters of the Rwandan regulations, including some local clergy, contend that these rules serve a moral good by protecting vulnerable worshippers from predatory or ill-prepared leaders. *"Implementing regulations is essential to prevent individuals with minimal theological knowledge from establishing churches arbitrarily,"* argues Rev. Esron Maniragaba, president of the Evangelical Free Church of Rwanda (Nzwili, 2024). In this view, theological education requirements ensure a baseline of doctrinal understanding, helping to curb the spread of **heresies, harmful practices, or outright scams** perpetrated by self-styled pastors. Indeed, Rwanda's crackdown was partly motivated by reports of "*unethical and criminal behavior*" among certain Pentecostal preachers – ranging from fake miracle claims and extortion of money, to endangering health (as seen in other countries where pastors made followers eat grass or refuse medicine)(Obadare, 2024; Henrico, 2019). Ethically, the government portrays its stance as **paternalistic protection** of citizens' welfare: ensuring churches have proper

ventilation, sound control, and sanitation means congregants (often poor people) can worship without risking their health and safety (Nzwili, 2024). Requiring pastors to be trained could discourage charlatans from manipulating the gullible with prosperity gospel schemes or dangerous teachings. In short, the regulations aim to **enhance the integrity of religious services** – an intention that has a certain ethical rationale.

However, to many believers and rights advocates, the heavy-handed approach threatens core values of **religious autonomy and spiritual authenticity**. A Pentecostal elder in Kigali whose church was closed lamented, *"We want the government to understand that what we are doing is the work of God, and we are not doing it for ourselves"*, emphasizing that spiritual work cannot be neatly fitted into bureaucratic timelines or checklists (Nzwili, 2024). He and others argue that expecting fledgling congregations to meet all standards in a short span is unrealistic – *"There's no way a church can fully comply ... in less than six years. We need more time"*(Nzwili, 2024). The abrupt enforcement left many congregations, particularly small, independent ones, in disarray – forced to **worship underground in fear**. *"Our inability to pray aloud, sing, and express our devotion is a result of our fear of arrest,"* said one woman now holding secret house worship after her church was shut down(Nzwili, 2024). The chilling effect on religious expression is an ethical concern: **worship has been driven into hiding**, arguably undermining the very freedom of worship that Rwanda's constitution guarantees.

A key theological critique is that the state's criteria do not necessarily correspond to **spiritual criteria** valued in Christianity (and other faiths). Throughout history, many revered preachers and prophets lacked formal schooling – their authority came from perceived anointing or devotion. Biblically speaking and for some Pentecostal and holiness traditions, the very idea of mastering God through formal study borders on hubris (cf. 1 Cor 2:10–13); genuine knowledge about God is revealed by the Holy Spirit, not conferred by diplomas. God reveals Himself to us, we cannot study and master Him. In Rwanda, some pastors see the degree mandate as an affront to the belief that *"pastors are called by God"* rather than by human accreditation (Oguntola, 2017). As a Nigerian Pentecostal leader similarly argued when faced with government interference, *"How long a spiritual leader remains in office is never the purview of government... A leader stays for as long as God and the church permit"* (Oguntola, 2017). By that logic, the Rwandan government's attempt to decide who is "qualified" to preach treads on sacred ground – the calling and governance of a church, which many believe should be determined by spiritual discernment and the community of believers, not civil servants.

Doctrine and worship practices are another flashpoint. Rwanda's law requires churches to submit *"clear statements indicating their doctrine"* to the RGB(Nzwili, 2024). While ostensibly just a formality, this has raised fears of content-based regulation – will certain doctrines be deemed unacceptable? Thus far, the government's focus has been on conduct (like noise, building safety, avoiding division) rather than explicit theological content, aside from prohibiting messages that incite hatred or break laws (Sikubwabo, 2024). Even so, some religious leaders perceive an implied **state judgment on spirituality**. One Kigali pastor complained that authorities ***"condemn the performance of miracles and prophecies"*** by charismatic preachers without recognizing these as genuine *"spiritual gifts of the Holy Spirit"*. *"The leaders of the government lack knowledge of the word of God,"* he said, suggesting that secular officials are not competent to discern true spiritual works from false ones (Nzwili, 2024). Such judgments inadvertently marginalize Pentecostal and charismatic expressions of Christianity, which emphasize experiential gifts of the Spirit—raising theological concerns about the neutrality of state

enforcement across denominations. This touches a profound theological objection: the risk that a secular state, in trying to weed out abuse, may also suppress legitimate expressions of faith that it simply does not understand (e.g. loud worship, belief in miracles, strict doctrines). The ethical question arises: **who defines "excessive" religious behavior** – the faith community itself or the government? If prayer meetings are shut down for noise or lack of parking, but similar disturbances by secular events (bars, nightclubs) are tolerated, it appears to many believers as a double standard born of bias or ignorance (Nzwili, 2024). Indeed, Rwandan pastors have noted the *"unequal"* application of regulations – e.g. requiring costly soundproofing for churches but not enforcing noise laws on other venues(Nzwili, 2024). Such inequities erode trust and feed the perception that the state's true aim is to **control or shrink the religious sphere** rather than fairly uphold public order.

Theologically, the notion of **"spiritual legitimacy"** versus **"institutional legitimacy"** is at stake. A church might meet all state requirements and be legally registered, yet still propagate questionable teachings or exploit members financially behind a veneer of compliance. Conversely, an unregistered house church might be doctrinally sound and serving the needy in line with true religious principles, yet be deemed illegal purely for lack of paperwork or a proper building. By prioritizing form over substance, Rwanda's policy arguably misses an element that many faith traditions consider vital: the **inner authenticity and mission** of a religious community. In Christian ethical terms, this debate echoes Jesus' admonition about religious legalism – focusing on outward observances while neglecting the "weightier matters" of faith (cf. Matthew 23:23). Here, the state has assumed the role of enforcing a kind of religious order, but there is an inherent limit to what law can achieve in guiding genuine faith and morality.

This raises a deeper concern: that formal compliance with state criteria does not guarantee doctrinal soundness. A church could meet all infrastructure and academic requirements yet preach prosperity gospel, exploit emotional needs, or advance syncretic doctrines—thereby achieving legal recognition while spiritually misleading its members. In this way, the regulatory framework may paradoxically shield unbiblical ministries under the veil of legality, while excluding Spirit-led, biblically grounded assemblies that lack financial or academic credentials. This regulatory asymmetry could normalize heretical teaching through state-sanctioned legitimacy.

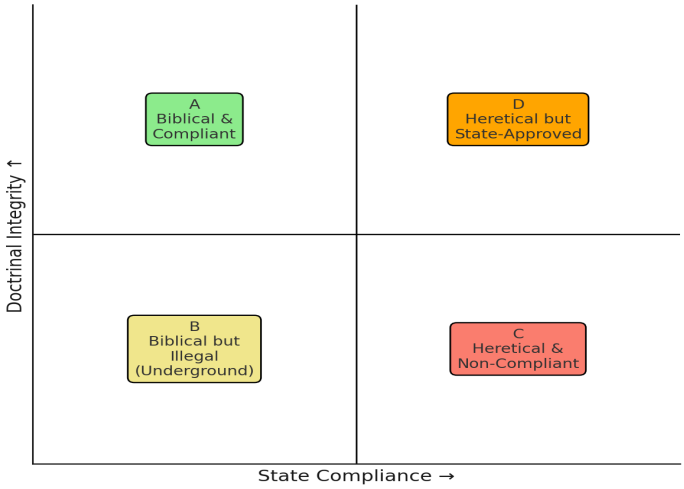

Figure 3. Possible Outcomes of State Regulation in Relation to Doctrinal Integrity

In summary, the theological-ethical tension in Rwanda revolves around **sincerity versus security**. Proponents see regulation as a moral duty of the state to **protect the public and uphold standards** in the sacred sector, just as it would in education or healthcare. Opponents see it as an overreach that **quenches the spirit** by subordinating the organic development of religious communities to bureaucratic approval. This balance (or imbalance) becomes clearer in light of how other countries have approached similar issues, as discussed next.

3.3. Comparative Perspectives: Rwanda vs. Uganda, Nigeria, and South Africa

Rwanda's regulatory regime for FBOs is among the most stringent in Africa, and examining other countries' approaches helps contextualize its uniqueness. **Uganda, Nigeria, and South Africa** provide instructive contrasts – each has confronted challenges with unregulated religious entities, yet none have (to date) implemented measures as comprehensive as Rwanda's.

Uganda: In Uganda, the rapid growth of evangelical and Pentecostal churches since the 1990s led to calls for oversight, especially after incidents of cults and "rogue pastors" causing harm. However, Uganda's legal framework remains relatively lax and **ambiguous** regarding church registration. As of 2022, the International Commission of Jurists noted that *"Uganda currently does not have a clear system outlining the process of registration for faith-based organizations, including churches."* Many churches operate in a gray area, and some have been shut down arbitrarily by authorities despite the lack of explicit legal requirements (ICJ, 2022). The absence of a dedicated law leaves FBOs to register under general NGO laws (optional for religious groups) or trusteeship acts, which is a voluntary mechanism (ICJ, 2022). Recognizing this gap, the Ugandan government drafted a policy for **Religious and Faith-Based Organisations (RFO)** as early as 2016, aiming to introduce a registration and oversight process. This move, however, met **stiff resistance** from segments of the evangelical community, who viewed it as state overreach. The policy stalled for years amidst debates on religious freedom (Monitor Reporter, 2023). Only recently, in mid-2025, have authorities revived the effort: the Directorate of Ethics and Integrity held consultations to "validate" a national policy to govern registration of RFOs(Monitor Reporter, 2023). Officials cite concerns similar to Rwanda's – **manipulation of followers, financial impropriety, harmful doctrines** – as justification for regulation (Monitor Reporter, 2023). Yet even now, Uganda's approach appears more consultative and cautious. Government representatives have been at pains to dismiss fears that the policy will interfere with genuine religious activities or tithes (Monitor Reporter, 2023). In public discourse, Ugandan commentators often argue that existing laws (against fraud, noise, etc.) are sufficient, and that self-regulation via councils of churches might be preferable to state control (Monitor Reporter, 2023). Compared to Rwanda, Uganda's trajectory illustrates a **hesitant path** – acknowledging the need for some framework but lacking consensus on how far the state should go. Notably, Uganda has not mandated theological qualifications for pastors or closed churches en masse; any closures have been case-specific and sometimes viewed as politically motivated. Thus, Rwanda's systematic enforcement contrasts with Uganda's **regulatory vacuum** and ongoing negotiations between government and religious bodies.

Nigeria: Nigeria represents a different context – a large, religiously fervent nation where both Christianity and Islam have massive followings. Historically, the Nigerian government has largely **steered clear of direct regulation** of churches, aside from requiring organizations to register as legal entities. This laissez-faire stance is partly due to the potential political cost; religious leaders wield significant

influence and congregations number in the millions. A notable attempt at tighter regulation occurred in 2016–2017, not through a religion-specific law but via a corporate governance code issued by the Financial Reporting Council (FRC). The **FRC code** set limits on nonprofit leaders' tenure, compelling founders or heads of religious organizations to retire at age 70 or after 20 years in charge (Oguntola, 2017). This provision would have forced transitions in Nigeria's largest Pentecostal churches – for example, Pastor Enoch Adeboye of the Redeemed Christian Church of God (RCCG) stepped down as Nigeria overseer in early 2017 in response to the code (Oguntola, 2017). However, the backlash from churches was swift and severe. **Outcry and protests** from Christian leaders and organizations, including the Christian Association of Nigeria (CAN), framed the code as an attack on religious autonomy (Oguntola, 2017). As CAN's General Secretary angrily stated, *"[Government] has no business interfering in a church's affairs because it is a no-go area… If they attempt it, it will bring confusion and could trigger religious unrest"*. Within 48 hours, the Nigerian President suspended the FRC code and fired its architect (Oguntola, 2017). The episode underscored Nigerian churches' ability to resist state intrusion. Prominent pastors argued that **church governance is guided by spiritual mandate**, not government fiat: *"Pastors are called by God, and hold their tenure to the one who calls them or the church they serve"*(Oguntola, 2017). Even those Nigerians who saw merit in encouraging leadership succession conceded that any change must come from within the religious community, not be imposed by law (Oguntola, 2017). Since then, Nigeria has had no further attempts to regulate pastors' credentials or church operations in the way Rwanda has. The government does enforce general laws (e.g. building safety, noise ordinances, financial reporting for registered NGOs), and there have been isolated shutdowns of places causing public nuisance. But overall, **self-regulation** through bodies like CAN and internal church policies fill the space. In contrast to Rwanda's proactive stance, Nigeria exemplifies a context where **political pluralism and strong religious constituencies** have kept the state's role minimal. The comparison highlights that Rwanda's government has far greater latitude to act – arguably due to its more centralized authority and the relatively weaker capacity of local churches to oppose policy.

South Africa: South Africa's experience lies somewhere between Uganda's reticence and Rwanda's assertiveness. The country's liberal constitution robustly protects freedom of religion, and for the most part, religious institutions operate independently. However, public alarm grew in the mid-2010s after a series of **scandals involving charismatic pastors**: media reports showed self-proclaimed prophets engaging in bizarre and harmful practices – spraying congregants with insecticide, making them eat snakes or grass, and extorting money for miracles (Henrico, 2019). These incidents prompted the **CRL Rights Commission** (a state-supported body tasked with protecting cultural and religious community rights) to investigate the *"commercialization of religion and abuse of people's belief systems."* In 2017, the CRL Commission released a report with recommendations to regulate the religious sector. Notably, it proposed the establishment of umbrella **peer-review committees** for each faith, which would self-regulate and license religious practitioners in cooperation with the state (Henrico, 2019). Essentially, a hierarchy was envisioned: religious organizations would register under larger umbrella bodies, and individual pastors would need to be accredited – a system to weed out charlatans without direct government issuing of licenses. These **proposals sparked intense debate** in South Africa. Many religious and civil society voices raised concerns that even indirect regulation could infringe on religious freedom and set a dangerous precedent (Henrico, 2019). Legal scholars argued that **state regulation of religion is "anathema" to constitutional principles**, warning that giving any organ (even a quasi-independent commission) power to control religion would violate the spirit of the freedom

guaranteed in the Bill of Rights (Henrico, 2019). The South African government heeded some of these concerns. By 2018, the Parliament's committee on cooperative governance rejected the idea of state regulatory councils, favoring a **self-regulation approach**: it encouraged faith communities to adopt a code of ethics and strengthen their own oversight, rather than new legislation (Henrico, 2019). As a result, South Africa did not pass any new law to license pastors or register churches beyond existing voluntary nonprofit registration. The CRL Commission's push was essentially stalled, illustrating the strong weight given to **religious liberty** in the South African context.

In comparing these countries: Rwanda stands out for the **breadth and enforcement** of its regulations. Uganda has lacked political consensus to act, Nigeria's brief regulatory attempt was rolled back due to public pressure, and South Africa's constitutional culture has so far resisted formal regulation in favor of voluntary measures. Rwanda, by contrast, implemented a top-down policy with relatively little domestic opposition able to stop it – a reflection, perhaps, of Rwanda's tighter governance model and the historical narrative that justifies vigilance against religious excesses. Another point of contrast is how **justifications** are framed: In Rwanda (and to an extent Uganda and South Africa), the justification centers on preventing harm (fraud, unsafe buildings, extremism) and protecting the public interest. In Nigeria's FRC case, the stated goal was financial accountability and good governance within churches (Oguntola, 2017), but many perceived it as political or pecuniary interference.

The implications of these differences are significant. Rwanda's model could be seen as pioneering a form of ***"accountable religion"*** where churches are treated similarly to NGOs or schools – required to meet standards for the common good. Alternatively, it could be viewed as an authoritarian imposition that other democracies have found incompatible with pluralism. For example, if Rwanda's standards were applied in Nigeria's fractious religious landscape, it might incite unrest (as Nigerian leaders themselves warned (Oguntola, 2017)). Even in more orderly Uganda, officials worry that heavy regulation might drive religion further underground or politicize it. Rwanda's unique post-genocide context cannot be ignored in this comparison; the trauma of 1994 imbues its government with a resolve to control any civil society sphere (media, politics, or religion) that might sow division (Oguntola, 2017). Other nations without that specific legacy might find Rwanda's approach less palatable or necessary.

3.4. Religious Freedom and State Control in Rwanda's Constitutional Context

Rwanda's constitution enshrines *"freedom of thought, conscience, religion, worship, and public manifestation thereof,"* but crucially, it adds *"in accordance with the law."* (Sikubwabo, 2024). This phrasing implies that the right to worship is not absolute; it must be exercised under legal frameworks that ensure it does not infringe on others' rights or the public interest. Indeed, Article 41 of the Constitution provides that rights and freedoms can be limited by law for purposes of *"recognition of and respect for others' freedoms and public order, good morals, and public health"*(Sikubwabo, 2024). Rwanda's leadership has leaned on this clause to defend its regulation of FBOs as a lawful limitation aimed at **public order and safety**. They argue that chaotic proliferation of unsupervised churches was undermining these very aims: causing noise disturbances (public order issue), raising risks of building collapses or health hazards (public safety), and opening space for unscrupulous actors who might swindle or psychologically abuse followers (morals and rights of others) (Obadare, 2024; Tasamba, 2024).

From the government's perspective, then, the regulatory framework is fully **compatible with the constitution** – it is an implementation mechanism to ensure religious freedom is practiced responsibly. In support of this view, some legal analysts within Rwanda assert that shutting down churches which fail to meet basic standards is not an attack on faith per se, but on disorderly conduct. Rwandan human rights lawyer Louis Gitinywa noted that he does *"not believe that the government's recent actions are a violation of citizens' constitutional rights,"* as long as they are grounded in law and pursue legitimate aims like safety (Tasamba, 2024). In other words, so long as due process is followed (e.g. inspections, warnings, legal criteria applied equally), the state can argue it is regulating religion **by law, not suppressing it arbitrarily**.

However, the crux of the debate is whether the extent of Rwanda's regulations crosses the line from permissible limitation into outright infringement on **religious freedom**. International human rights standards (such as the ICCPR, to which Rwanda is party) require that any restrictions on religion be necessary and proportionate to a legitimate aim. Critics argue that while **some regulation is justified**, Rwanda's blanket closures and high entry barriers may be **disproportionate**. For instance, requiring formal degrees for clergy might exceed what is "necessary" to achieve competent leadership – there are less restrictive means (like encouraging voluntary training or offering theological workshops) that don't involve banning non-degreed pastors. The sheer number of worship centers closed (thousands) also raises questions: Were all these closures truly warranted for safety, or did the policy cast too wide a net? Reports indicate some congregations were closed despite willing to make improvements, suggesting an inflexible enforcement that **prioritized control over accommodation** (Nzwili, 2024). If believers are effectively prevented from gathering because they cannot afford a formal church building or a seminary-educated pastor, their freedom to worship is curtailed beyond what public order strictly demands. After all, one could argue that *basic* safety standards (sound structures, not overcrowded, etc.) are a reasonable requirement, but the **additional demands** (full concrete buildings, hefty fees, degrees) impose a heavier burden on poorer, informal religious groups, often the minority denominations.

An aspect of constitutional concern is **equality and neutrality**: does Rwanda apply similar stringent oversight to all faiths and secular entities? Small Pentecostal and independent churches have borne the brunt of enforcement, whereas established churches (Catholic, Anglican, etc.) generally already meet many standards and even voiced support for the crackdown(Nzwili, 2024). This creates a risk of **indirect discrimination** – a law neutral on its face having unequal effects on minority or less resourceful religious communities. Moreover, as Pastor Iyakaremye pointed out, when bars or nightclubs aren't forced to soundproof but churches are, it suggests religious gatherings are being treated as more problematic than secular ones, which can infringe the principle of state neutrality among different forms of assembly (Nzwili, 2024). A truly neutral application would hold all gatherings to consistent noise and occupancy standards; any singled-out treatment of religious meetings would be hard to justify under freedom of assembly and religion clauses. Moreover, legal scholars and constitutional watchdogs have warned that invoking public order must be weighed against Rwanda's obligations under the ICCPR and African Charter on Human and Peoples' Rights, both of which safeguard religious liberty against disproportionate state interference—even when motivated by public interest.

Thus, the compatibility of Rwanda's framework with religious freedom principles remains contested. To date, there have been no known successful legal challenges in Rwandan courts against the

FBO law or closures – likely a reflection of Rwanda's political climate and judiciary. Absent judicial clarification, the question is debated in the court of public opinion and international commentary. Organizations focused on religious liberty have expressed concern that **"health and safety" justifications may be a cover for suppressing dissenting or independent churches** (Nzwili, 2024; Obadare, 2024). The Council on Foreign Relations analysis by Obadare mused that the real reason for Kagame's campaign was to assert control over the burgeoning Pentecostal movement, whose influence and grassroots networks might be seen as a threat (Obadare, 2024). If true, that motivation would cast the policy squarely as an infringement of religious freedom (using legitimate-sounding regulations to achieve political ends). The Rwandan government, of course, denies any intent to stifle genuine worship, insisting it only seeks order and respect for law.

In sum, Rwanda's regulatory regime sits at the delicate intersection of **religious freedom and state control**. It demonstrates how a broad constitutional freedom can be constrained by detailed laws purportedly for the common good. Whether this constitutes a model of balanced governance or a violation depends on one's weighting of security versus liberty. The findings suggest that Rwanda's model, while legally grounded, leans heavily toward state control, and thus demands careful checks and balances to avoid abuse. The final section of this article builds on these insights to propose recommendations that could help strike a better balance, respecting both **religious autonomy** and **public accountability**.

IV. Conclusion and Recommendations

Conclusion: Rwanda's experience with regulating faith-based organizations illuminates both the potential benefits and pitfalls of state intervention in religious affairs. On one hand, the government's strict enforcement of registration, safety, and qualification standards has addressed genuine concerns – curbing the **"mushrooming" of unregulated churches**, improving public safety in places of worship, and putting unscrupulous "prosperity gospel" preachers on notice (Nzwili, 2024). The policy aligns with Rwanda's post-genocide ethos that every sector of society, including religion, must contribute to national unity, development, and the rule of law (Sikubwabo, 2024). On the other hand, the implementation has raised **valid criticisms** regarding overreach and impact on religious freedom. Thousands of Rwandans were displaced from their spiritual homes due to sudden church closures, and smaller congregations faced barriers that larger, established churches easily overcome – raising issues of fairness and inclusivity. Theological voices remind us that faith cannot be reduced to bureaucratic metrics; a balance must be struck where **structural soundness** is ensured without quenching the **spiritual fervor and diversity** that are hallmarks of a free society.

Rwanda's approach, when compared to Uganda, Nigeria, and South Africa, underscores that there is no one-size-fits-all solution. Less restrictive approaches (e.g. Uganda's hands-off stance or South Africa's self-regulation model) may better preserve freedom but potentially allow more malfeasance; more restrictive ones (Rwanda's) promote order but risk suppressing legitimate religious expression. The challenge for policymakers is to find a **middle ground** – a regulatory framework that **protects public interests without sacrificing religious liberty**.

Recommendations: Based on the analysis, we propose the following actionable recommendations for different stakeholders:

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- **For Policymakers in Rwanda and Similar Contexts:** Adopt a **calibrated regulatory approach**. Instead of blanket closures and one-size requirements, use a graduated system of warnings, support, and enforcement. Second, delegate doctrinal vetting to independent, inter-denominational councils rather than civil servants, ensuring any review of teaching quality is peer-based and theologically informed. For example, assist small churches in meeting safety standards through technical guidance or subsidies (perhaps a government fund to help religious groups upgrade facilities), rather than shutting them down outright. Consider recognizing **alternative forms of accreditation** for religious leaders – e.g. mentorship under senior clergy or short-term intensive theology courses – in lieu of formal degrees, to validate spiritual leadership without excluding those of humble backgrounds. Importantly, engage religious leaders in dialogue when drafting regulations: a permanent consultative council between government and faith community representatives could ensure that new rules address real problems without unintended spiritual harm. Finally, ensure **transparent and equitable enforcement**: criteria should be applied equally to all faiths and groups, with an appeals process in place. This will build trust that the goal is compliance and improvement, not control for its own sake.

- **For Church Leaders and Faith-Based Organizations:** Proactively demonstrate **self-regulation and accountability** to reduce the rationale for heavy state oversight. Established churches and umbrella bodies should strengthen peer review mechanisms – for instance, setting up associations that certify preachers' basic theological knowledge and ethical conduct. By voluntarily requiring a level of training or code of conduct, the religious community can show it is policing itself. Moreover, church networks can pool resources to help member congregations improve infrastructure and legal compliance (sharing best practices on managing finances transparently, ensuring safety during services, etc.). Theologically, church leaders might find common ground with authorities on promoting messages of peace, unity, and social responsibility, thereby alleviating official fears that religion could destabilize society. At the same time, they should **advocate for their rights** firmly but constructively – if a regulation is unjust or impractical, engaging in good-faith negotiation or legal challenge (where possible) is better than passive acquiescence or total defiance. A united, responsible religious sector can negotiate a better deal for itself by proving that **freedom of religion** will not undermine public order, but rather can enhance national well-being in partnership with the state.

- **For Civil Society and Rights Organizations:** Act as watchdogs and mediators. Civil society groups, including human rights organizations, should monitor the implementation of FBO regulations to document any abuses – for example, if certain churches are unfairly targeted for political reasons, or if enforcement officials exceed their legal mandate. Publicizing these findings domestically and internationally can encourage corrective action. At the same time, civil society can help mediate between government and religious actors by providing forums for dialogue, legal advice, and training. For instance, legal NGOs could offer workshops for pastors on how to register their churches and comply with regulations, demystifying the process and reducing friction. Where the law itself is problematic, advocacy for legal reform should be pursued – perhaps pushing for amendments to Law Nº72/2018 to remove or modify the most controversial provisions (such as the academic degree requirement) and replace them with more flexible standards. Using constitutional and international human rights arguments, civil society

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can remind the state that **security and freedom are not mutually exclusive** – and that Rwanda's global reputation and social fabric are best served when **religious freedom is upheld alongside public accountability**.

In closing, Rwanda's case is a bellwether for the African continent on managing the intersection of faith and governance. It demonstrates that **regulating the sacred** is a delicate endeavor: too little oversight can permit exploitation and chaos, but too much can stifle the vitality and rights that religion embodies for millions. The path forward, as this article has shown, lies in continuous critical examination and adjustment of policies, guided by both **principles of religious liberty** and the **pragmatic need for order and safety**. By learning from Rwanda's bold experiment – its successes, shortcomings, and the comparative insights from other nations – stakeholders can work towards a model of engagement that truly respects the sacred while responsibly harnessing its social power for the common good.

References

Henrico (2019): Henrico, R. (2019). *Proselytising the regulation of religious bodies in South Africa: Suppressing religious freedom?* **Potchefstroom Electronic Law Journal, 22**(1), Article 10. https://doi.org/10.17159/1727-3781/2019/v22i0a5315 Retrieved June 7, 2025.

International Commission of Jurists. [ICJ] (2022). *Uganda: Religious minorities and others face major obstacles to the free exercise of religion and belief*. https://www.icj.org/resource/uganda-religious-minorities-and-others-face-major-obstacles-to-the-free-exercise-of-religion-and-belief/#:~:text=,leaves%20them%20vulnerable%20to%20closure. Retrieved June 7, 2025.

Obadare, E. (2024, August 26). *Kagame's crusade*. Council on Foreign Relations. https://www.cfr.org/blog/kagames-crusade#:~:text=Why%20did%20the%20Rwandan%20government,preachers%20have%20been%20accused%20of. Retrieved June 7, 2025.

Oguntola, S. (2017, January 13). *Churches challenge Nigeria forcing pastors to retire*. Christianity Today. https://www.christianitytoday.com/2017/01/churches-challenge-nigeria-pastors-resign-rccg-adeboye-frc/#:~:text=%E2%80%9CHow%20long%20a%20spiritual%20leader,%E2%80%9D. Retrieved June 7, 2025.

Monitor Reporter. (2023, June 15). *Government to regulate churches with new policy*. Daily Monitor. https://www.monitor.co.ug/uganda/news/national/government-to-regulate-churches-with-new-policy-5069788#:~:text=The%20Religious%20Faith%20Organisations%20,for%20it%20to%20be%20shelved. Retrieved June 7, 2025.

Nzwili, F. (2024, August 8). *Rwanda government shuts more than 5,000 churches, claiming code violations*. Religion News Service. https://religionnews.com/2024/08/08/rwanda-government-shuts-more-than-5000-churches-claiming-code-violations/#:~:text=NAIROBI%2C%20Kenya%20,the%20conditions%20required%20for%20operation. Retrieved June 7, 2025.

Sikubwabo, J. M. V. (2024, September 15). *The necessity for regulation of faith-based organizations in Rwanda*. WMO. https://worldmediation.org/the-necessity-for-regulation-of-faith-based-organizations-in-rwanda/#:~:text=other%20laws%20must%20implement,%E2%80%9D. Retrieved June 7, 2025.

State of Rwanda – Law N°72/2018: *Law No. 72/2018 of 31/08/2018 Determining the Organization and Functioning of Faith-Based Organizations* (Rwanda).

Tabaro, J. de la Croix. (2025, March 8). *Rwanda government issues additional strict regulations for faith groups*. KT Press. https://www.ktpress.rw/2025/03/rwanda-government-issues-additional-strict-regulations-for-faith-groups/#:~:text=,of%20training%20in%20religious%20practice. Retrieved June 7, 2025.

Tasamba, J. (2024, September 9). *Why has Rwanda shut thousands of churches and banned faith groups?* Anadolu Agency. https://www.aa.com.tr/en/africa/why-has-rwanda-shut-thousands-of-churches-and-banned-faith-groups/3325559#:~:text=Over%20the%20past%20month%2C%20authorities,with%20health%20and%20safety%20regulations. Retrieved June 7, 2025.

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